

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2008 – 8B - F

**DATE OF NOTICE: AUGUST 4, 2008
8/22**

Note: please refer to the last page of this notice for information regarding your rights and responsibilities pertaining to the Public Notice process and timeframes. Please feel free to contact us with any questions or concerns.

The Office of Water Quality issues the following NPDES FINAL PERMITS.

MINOR - RENEWALS

ASPHALT MATERIALS, Permit No. IN0050661, MARION COUNTY, 4902 W 86th St, Indianapolis, IN. This industrial facility discharges 0.001 million gallons per day of non-process wastewater into Oil Creek. Permit Writer: Nahir Bacardi 317/234-4222.

BEARCREEK FARMS WWTP, Permit No. IN0050211, JAY COUNTY, 8341 N CR 400 E, Bryant, IN. This semi-public facility discharges 0.06 million gallons per day of treated sanitary wastewater into Bearcreek Ditch Permit Writer: John Donnellan at 317/234-0865.

TOWN OF EATON WWTP, Permit No. IN0021652, DELAWARE COUNTY, SR 3 & Indiana Av, Eaton, IN. This municipal facility discharges 0.36 million gallons per day of treated sanitary & combined sewer wastewater into the Mississinewa River. Permit Writer: Julie Morris at 317/232-8739.

LOUISVILLE & INDIANA RAILROAD COMPANY, Permit No. IN0061875, CLARK COUNTY, 2500 Old US Hwy 31, Jeffersonville, IN. This industrial facility discharges a variable amount of storm water to an unnamed ditch to Mill Creek. Permit Writer: Joe Gwinn at 317/233-8769.

LYONS WATER UTILITY, Permit No. IN0043753, GREENE COUNTY, CR 225 S & CR 600 W, Lyons, IN. This public water supply facility discharges 0.005 million gallons per day of non-process wastewater into Four Mile Ditch. Permit Writer: Nahir Bacardi 317/234-4222.

TOWN OF NEW PEKIN WWTP, Permit No. IN0021059, WASHINGTON COUNTY, located at the west end of Park St, New Pekin, IN. This municipal facility discharges 0.18 million gallons per day of treated sanitary wastewater into the South Fork of Blue River. Permit Writer: Julie Morris at 317/232-8739.

PERRYSVILLE WATER WORKS, Permit No. IN0061972, VERMILLION COUNTY, 600 E SR 32, Perrysville, IN. This public water supply facility 0.01 million gallons per day of non-process wastewater into Jericho Creek. Permit Writer: Nahir Bacardi 317/234-4222.

MINOR –MODIFICATION

ESSROC CEMENT CORP, Permit No. IN0002071, CLARK COUNTY, 301 HWY 31, Speed, IN. This industrial modification reflects the appeal of the permit renewal. Permit Writer: Nahir Bacardi at 317/234-4222.

APPEAL PROCEDURES FOR FINAL PERMITS

The Final Permits are available for review & copies at IDEM, Indiana Government Center, North Bldg, 100 N Senate Ave, Indianapolis, IN, Rm 1203, Office of Water Quality/NPDES Permit Section, from 9 – 4, M - F (copies 10¢ per page). Each Final Permit is available at the respective, local County Health Department. **Please tell others you think would be interested in this matter.** For information about your rights and responsibilities pertaining to the Public Notice process and timeframes, please visit IDEM websites: <http://www.in.gov/idem/5474.htm> and IDEM Permit Guide (Public Participation): <http://www.in.gov/idem/4172.htm>.

APPEAL PROCEDURE: Any person affected by the issuance of the Final Permit may appeal by filing a **Petition for Administrative Review** with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting the appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

TIMELY FILING: The **Petition for Administrative Review** must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. The **Petition for Administrative Review** represents a request for an Adjudicatory Hearing; therefore it must include the following information:

- **state the name and address** of the person making the request;
- **identify the interest** of the person making the request;
- **identify any persons represented** by the person making the request;
- **state specifically the reasons** for the request;
- **state specifically the issues proposed for consideration** at the hearing;
- **identify the Final Permit Rule terms and conditions** which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the **Petition for Administrative Review** desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a **Petition for Stay** must be included in the appeal request, identifying those parts to be stayed. All Petitions must be mailed or delivered, within the timeframe noted above, to the following address:

**Environmental Law Judge
Office of Environmental Adjudication (OEA)
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204
317/232-8591.**

STAY TIME FRAME: If the Petition(s) is filed **within** eighteen (18) days of the date of this Public Notice, the effective date of any part of the permit, within the scope of the **Petition for Stay** is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

HEARING NOTIFICATION: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the **Petition for Administrative Review**. The **Petition for Administrative Review** must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the **OEA at 317/232-8591.**